FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.7093 OF 2005
IN
CRIMINAL APPEAL NO.983 OF 2005

Office notes, office Memoranda of Coram, appearances, Court's orders or directions & Registrar's orders.	Court's or Judge's Orders

Mr. D.G. Khamkar for the applicants.

Mr. D.R. More, A.P.P. for the State.

CORAM: SMT. RANJANA DESAI &
ANOOP V. MOHTA, JJ.

DATED: 27TH OCTOBER, 2005.

P.C.:-

Heard the learned counsel for the parties.

The applicants are original accused 3 and 4 in Sessions Case No.165 of 2001. They have been convicted along with other accused for offences punishable under sections

302, 324 read with section 34 of the Indian Penal Code and sentenced to suffer RI for life.

We have admitted their appeal. Now we are considering their bail application. We have already released on bail accused 2 on the ground that he had only attacked the complainant and not the deceased. So far as the present applicants are concerned, the role assigned to them is that they beat the complainant with sticks. There is no allegation that they have assaulted the deceased. The fatal blow is supposed to have been given by accused 1 with knife. In the circumstances, we feel that this is a fit case to release the applicants on bail. Hence, the following order :

O R D E R

The appellants - Harishchandra Ramchandra Dive (accused 3) and Raghunath Ramchandra Dive (accused 4) are released on bail on their furnishing bail bonds in the sum of

Rs.5,000/- each with one or two sureties in the like amount. While on bail, they shall report to Mokhada Police Station, once in a month.

The application is disposed of.

(SMT. RANJANA DESAI, J.)

(ANOOP V. MOHTA, J.)